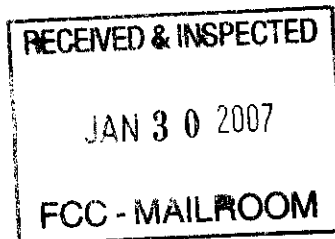


January 26, 2007

FCC
Office of the Secretary
445 12th Street SW
Washington, DC 20554



CC Docket No. 02-6

Re:

Applicant Name: Lake Grove-Durham School
Billed Entity Number: 5671
Form 471 Application Number: 507533
Funding Request Number: 1411679, 1411732, 1411771, 1411788, 1411820, 1411841

To Whom It May Concern:

This is an appeal on an Administrator's Decision on Appeal-Funding Year 2006-2007 dated January 04, 2007 from the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC). We have been denied total funding due to the following decision explanation:

"During the review of your application, you were faxed the High Unit Cost request dated June 20, 2006, requesting you to indicate whether the school had funds available for the non-discounted portion of the funding requests. In your response dated July 7, 2006, you provided a letter signed by the Treasurer stating the Board of Director's of Lake Grove of Durham authorizing the expenditure of the full applicant share for Funding Year 2006. On July 20, 2006 the Reviewer sent a follow up fax stating your reply on July 7, 2006 was not sufficient and the school official's letter should be accompanied by a draft budget or governing Board resolution. On July 26, 2006, you submitted a signed letter stating that the budget was not complete and the Board of Director's authorized the Erate expenditures for Funding Year 2006. This reply also included a copy of the same letter submitted on July 7, 2006. Your reply on both occasions failed to include a draft budget or an actual board resolution. Based on your documentation, USAC supports the denial of the funding requests for failure to authenticate that the school secured funds to pay for their full portion of the non-discount e-rate funding. You failed to provide evidence that USAC has erred in its decision on appeal."

In all due respect, I have provided the documentation requested by this reviewer. Similarly, I have responded to this type of review many times in the past years (being that we have multiple schools) and have submitted these same letters that proved to be sufficient time and time again. There is no documentation that was requested that is lacking.



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FCC
Office of the Secretary
January 26, 2007
Page 2

As recapped in our appeal to the SLD dated September 26, 2006 (please see attached), in the High Unit Cost Review, Mr. Kickey requested a letter signed by a school official explaining what phase of the approval process we were in, whether our share of funding is contingent on any outside action, or whether in the absence of such outside approval we anticipate being able to meet our share. This letter was provided (see attached letter signed by Joe Schmukler).

In addition to the signed letter by a school official, Mr. Kickey requested either a draft budget or a resolution of a governing board authorizing the filing of the form 471. This letter too was provided (see attached letter signed by Felix Wienclaw).

Furthermore, the reviewer did not indicate or advise us that the documents provided were insufficient although we requested on the coversheet of our submission that we be advised if any further information, documentation or clarification should be necessary.

In view of the fact that all the necessary paperwork requested from the school is in order and has been presented, I am, therefore, at a loss to understand this funding denial and respectfully request the FCC reverse the Administrator's decision to deny this application and subsequently allow it to be approved in full.

Please feel free to contact me directly should any further information be necessary.

Sincerely,



Joe Schmukler
CIO of IS
3390 Route 112
Medford, NY 11763
631-716-2109-voice
631-716-2107-fax
cioofis@aol.com

September 26, 2006

USAC
Letter of Appeal
Schools and Libraries Division
100 South Jefferson Road
PO Box 902
Whippany, New Jersey 07981

Re: Appeal Letter
Form 471 Application Number: 507533
Funding Year 2006
Billed Entity Number: 5671

Funding Request Number: 1411679
Service Provider: SBC Connecticut
SPIN: 143001305

Funding Request Number: 1411732
Service Provider: SBC Connecticut
SPIN: 143001305

Funding Request Number: 1411771
Service Provider: Verizon Wireless
SPIN: 143000677

Funding Request Number: 1411788
Service Provider: Nextel of New York
SPIN: 143000890

Funding Request Number: 1411820
Service Provider: Cingular Wireless
SPIN: 143025240

Funding Request Number: 1411841
Service Provider: International Videoconferencing, Inc.
SPIN: 143023310

To Whom It May Concern;

This is an appeal on a Funding Commitment Decision Letter dated August 15, 2006. The above listed Funding Request Numbers were denied total funding due to the following decision explanation: *"You certified in Item 25 of the Form 471 that you had secured access to all of the necessary resources to make effective use of the discounts. You were unable to demonstrate that you had done so."*

We are terribly disappointed and frustrated by this most recent correspondence denying funding to the above funding requests.

Subsequent to filing our Form 471, we were contacted on June 20, 2006 by Brian Kickey from SLD's PIA High Unit Cost Review Request Team. We were requested to supply various information regarding the details of our request, competitive bidding, vendor selection process, operating budget and cost effectiveness.

All the requested information was provided. Included in the review was a request for information in regard to the schools operating budget. Being that the school's budget was in the approval process and not complete, we specifically supplied the alternative documentation acceptable in lieu of a final, approved budget as outlined in the High Unit Cost Review Request we received. That included both of the following (please see attached copies of letters submitted during PIA):

- 1- A letter by a school official explaining what phase of the approval process we were in, whether our share of funding was contingent on any outside action, and the specific amounts available to pay our share
- 2- A resolution from a member of the governing board authorizing the filing of the 471 for the given dollar amount, for the specific services within the given time frame

This information was provided to Brian Kickey in July 2006 per his request.

We are therefore at a loss to understand this funding denial since we clearly demonstrated during application review that we had secured the resources to pay for the school's share of the funding requested. Being that this request is for Telecommunications and Internet Access only, to "secure access to all of the necessary resources to make effective use of the discounts" is not applicable (please note Item 25d on the form 471) and the school indeed has "secured access to all the resources to pay the discounted charges for eligible services" as certified in item 25 of the Form 471.

We respectfully request that the administrator reverse this decision and fund the above listed Funding Requests since we have provided all the necessary information, substantiated all certifications, and all requirements have been met to secure the funding to our school.

In light of the FCC's most recent order to the SLD, if in fact any information provided during PIA was inadequate or uncertain, the SLD should seek further clarification before issuing an immediate denial.

Thank you for your consideration in this matter. We look forward to a prompt response.

Please feel free to contact me directly at 631.716.2109 for any further clarification or information.

Sincerely,



Joe Schmukler

CIO of IS

Lake Grove Schools

3390 Route 112

Medford, NY 11763

631.716.2109-voice

631.716.2107-fax

cioofis@aol.com

July 26, 2006

Brian Kickey
USAC
Schools & Libraries Division
100 S. Jefferson Road
Whippany, NJ 07981

Dear Mr. Kickey:

Lake Grove at Durham has filed the following Funding Year 9 (2006-2007) Form 471 application numbers: 507444 and 507533.

The form 471 applications referred to are for July 1, 2006 through June 30, 2007.

Lake Grove at Durham has secured the resources to pay for our share of the funding requested.

Due to the fact that our budget for July 1, 2006 through June 30, 2007, funding year nine, is not yet complete, we have included a copy of a letter from the Board of Directors authorizing the filing of the form 471 referred to above and authorizing the expenditure of the funds required to pay our portion of the items and services requested.

The Board of Directors has authorized funds for the following expenditures:

Telecommunications Services:	\$3,193.38
Internet Access:	\$4,826.40
Basic Maintenance:	\$4,749.17
Internal Connections:	\$0

Our share of the funding is not contingent on any outside action.

Sincerely,



Joe Schmukler
CIO of IS
Lake Grove at Durham
Tel: 631-716-2109
Fax: 631-716-2107



June 30, 2006

Brian Kickey
USAC
Schools & Libraries Division
100 S. Jefferson Road
Whippany, NJ 07981

Dear Mr. Kickey:

The Board of Directors of Lake Grove at Durham authorized the filling of funding Year 9 (2006-2007) Form 471 application numbers: 507444 and 507533.

The form 471 applications referred to are for July 1, 2006 through June 30, 2007.

We have authorized the expenditure of \$12,768.95 to pay our share of the funding requests applied for.
The sum represents:

Telecommunications Services:	\$3,193.38
Internet Access:	\$4,826.40
Basic Maintenance:	\$4,749.17
Internal Connections:	\$0

Sincerely,

A handwritten signature in black ink, appearing to read "Felix Wienclaw".

Felix Wienclaw, Esq., CPA
Treasurer
Lake Grove at Durham, Inc.

LAKE GROVE AT DURHAM, INC.

459R WALLINGFORD ROAD
TELEPHONE: 860-349-3467

DURHAM, CT 06422-1013
FAX: 860-349-1382